REMARKS

This application has been reviewed in light of the Office Action dated January 14, 2003. Claims 1, 3, 5, 12, 14, 16, 23, 25, and 27 are pending in this application, with Claims 1, 12, and 23 in independent form. Claims 2, 4, 6, 13, 15, 17, 24, 26 and 28 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 1, 12, 14, 16, 23, 25 and 27 have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

Independent Claims 1, 12, and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,215,523 (Anderson). The dependent claims were rejected as obvious over the combination of either Anderson in view of U.S. Patent No. 5,956,084 (Moronaga et al.) or Anderson in view of U.S. Patent No. 5,764,800 (Yamagata).

Applicants submit that amended independent Claims 1, 12, and 23, together with the remaining dependent claims, are patentably distinct from the proposed combination of the cited prior art at least for the following reasons.

Claim 1 requires an image pickup apparatus including: an image pickup device, an image processing device, a storage control device, a display control device, a compression encoding device, and an output device. The image pickup device is adapted to pick up an image of an object to output an image signal. The image processing device is adapted to process the image signal to generate first-resolution image data and second-resolution image data having a resolution which is not higher than that of the first-resolution image data. The storage control device is adapted to store, in a memory, the first- and second-resolution image data of image signals of a plurality of frames, each of

the image signals being obtained by the image pickup device picking up an image of the object. The display control device is adapted to display the second-resolution image data of the plurality of frames stored in the memory on a display screen. The compression encoding device is adapted to compress and encode, at a predetermined compression ratio, the first-resolution image data of the plurality of frames. And, the output device is adapted to output compressed and encoded image data of a desired frame from the compressed and encoded image data of the plurality of frames of the image to a non-volatile memory in response to selecting the desired frame.

A notable feature of Claim 1 is the output device adapted to output image data of a desired frame from the image data of the plurality of frames of the image to a non-volatile memory in response to selecting the desired frame. Support for this feature can be found in the specification at least at page 12, lines 6-20, which is described in reference to Figure 1. This portion of the specification states that:

> [t]he user depresses the photography timing designation button 9, visually checks the low-resolution image data for storage selection displayed in the portions D2 to D4 of the display 14, and then selects photography images to be actually stored . . . . When the selection operation of the user is complete, the CPU 27 transfers, to a nonvolatile memory 24, an image file corresponding to the low-resolution image data actually selected from the image files C1 to C3 temporarily stored in the main memory 21.

In other words, before storing captured images, the user selects which of the captured images are to be stored in the non-volatile memory 24. By storing only selected images, the storage space of the non-volatile memory 24 is not wasted with undesirable images. (It is to be understood, of course, that the scope of Claim 1 is not limited to the details of this embodiment, which is referred to only for purposes of illustration.)

In regard to this feature of Claim 1, Anderson is understood to disclose two non-volatile memories, only one of which stores image data. The first non-volatile memory 350 "stores a set of computer-readable program instructions to control the operation of camera 110." (Column 4, lines 56-59). Therefore, non-volatile memory 350 is not understood to store image data, as is required by the non-volatile memory recited in Claim 1. The other non-volatile memory discussed in Anderson, the removable memory 354, does store image data. (See column 4, lines 59-62). However, Anderson appears to disclose writing to removable memory 354 only when the user presses the shutter button 418 to capture an image. See column 8, line 57 to column 10, line 34, which is understood to discuss that after pressing of the shutter button, the image file 600 (Figure 6) is generated and ultimately stored in the removable memory 354.

In contrast, Claim 1 recites that the output device outputs image data of a desired frame from the image data of the plurality of frames to a non-volatile memory in response to selecting the desired frame. Applicants submit that pressing a shutter button is not equivalent to the selection of a desired frame from the image data of a plurality of frames. In other words, Anderson is understood to store every image that is captured and is not understood to allow for the selection of a desired frame from a plurality of frames, and then the writing of the desired frame to the non-volatile memory. Thus, the benefit of the present invention over Anderson is that only desired images are stored in the non-volatile memory, instead of every captured image.

The only selection of a desired frame disclosed in Anderson is described primarily at column 10, line 39 to column 14, line 25, with reference, primarily, to Figures 8-11D. This portion of Anderson discusses a review mode and a play mode, both of which

are understood only to perform reading operations from the non-volatile removable memory 354, and are not understood to perform any writing operations to the non-volatile removable memory 354, as is required by Claim 1. For example, Anderson states that "after the review mode is invoked, each of the thumbnail images 606 to be displayed in the current screen are *fetched* from the corresponding image data files 600 stored on the removable memory 354 (or a host computer if connected) . . . ." (Column 11, lines 29-34, emphasis added). Anderson also states that "after the play mode is invoked, the screennail image 608 corresponding to the selected image is *fetched* from the image data file 600 stored on the removable memory 354(or a host computer if connected) . . . ." (Column 13, lines 9-12, emphasis added). Therefore, Anderson's selection process is understood only to relate to the reviewing of images already written to the non-volatile removable memory 354 by performing read operations, and is not understood to relate to deciding which desired frames of a plurality of frames should be written to the non-volatile memory.

Based at least on the reasons discussed above, Applicants submit that nothing in Anderson would teach or suggest to a person having ordinary skill in the relevant art, the output device adapted to output image data of a desired frame from the image data of the plurality of frames of the image to a non-volatile memory in response to selecting the desired frame. Accordingly, Applicants submit that Claim 1 is patentable over Anderson, and respectfully request withdrawal of the corresponding § 102(e) rejection.

Independent Claims 12 and 23 are method and storage medium claims, respectively, that correspond to apparatus Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything that, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

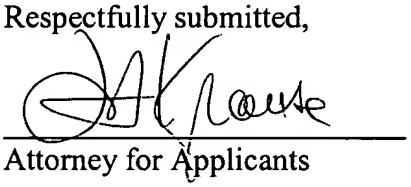
The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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